

AMENDED IN ASSEMBLY APRIL 30, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 650**

**Introduced by Assembly Member Hill**

(Principal coauthor: Senator Yee)

February 25, 2009

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An act relating to ~~parks~~ *real property*, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 650, as amended, Hill. ~~Parks~~: *Real property*: City of Half Moon Bay.: *Bay*.

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election, among other things, makes \$400,000,000 in bond funds available to the Department of Parks and Recreation for competitive grants for local and regional parks.

*The Bergeson-Peace Infrastructure and Economic Development Bank Act generally sets forth the duties and authority of the California Infrastructure and Economic Development Bank in administering various programs for economic development activities in the state. Bank activities may be funded through the California Infrastructure Bank Fund, which is continuously appropriated.*

This bill would appropriate \$10,000,000 of the \$400,000,000 available from the bond act to the Department of Parks and Recreation for a grant

*This bill would require the bank to loan \$10,000,000 to the City of Half Moon Bay to purchase certain property known as the Beachwood Property for the sole purpose of development as a public park to assist the city relating to its settlement of a specified case, which would result in an appropriation.*

~~The bill would provide that in any case in which the provisions of the bill and the initiative conflict, the initiative shall prevail.~~

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. (a) From the four hundred million dollars~~  
 2     ~~(\$400,000,000) available to the Department of Parks and~~  
 3     ~~Recreation pursuant to subdivision (b) of Section 75065 of the~~  
 4     ~~Public Resources Code, ten million dollars (\$10,000,000) is hereby~~  
 5     ~~appropriated to the Department of Parks and Recreation for a grant~~  
 6     ~~to the City of Half Moon Bay to purchase certain property known~~  
 7     ~~as the Beachwood Property for the sole purpose of development~~  
 8     ~~as a public park.~~

9     ~~(b) Any amounts outstanding to complete the purchase of this~~  
 10    ~~property for a public park shall be provided from funds of the City~~  
 11    ~~of Half Moon Bay or from loans and contributions to the City of~~  
 12    ~~Half Moon Bay for this purpose.~~

13    ~~SECTION 1. (a) Notwithstanding subdivision (d) of Section~~  
 14    ~~63050 of the Government Code, the Infrastructure and Economic~~  
 15    ~~Development Bank shall loan ten million dollars (\$10,000,000) to~~  
 16    ~~the City of Half Moon Bay pursuant to the procedures specified~~  
 17    ~~in Article 3 (commencing with Section 63040) of Chapter 2 of~~  
 18    ~~Division 1 of Title 6.7 of the Government Code to enable the city~~  
 19    ~~to purchase certain property known as the Beachwood Property.~~

20    ~~(e) This appropriation~~

21    ~~(b) This loan specified in subdivision (a) is made to assist the~~  
 22    ~~City of Half Moon Bay relating to its settlement agreement in the~~  
 23    ~~case of Yamagiwa v. City of Half Moon Bay (N.D. Cal. 2007) 523~~  
 24    ~~F. Supp.2d 1036, involving certain property known as the~~  
 25    ~~Beachwood Property in the City of Half Moon Bay.~~

1     ~~SEC. 2.—In any case in which any of the provisions of this act~~  
2     ~~and Division 43 (commencing with Section 75001) of the Public~~  
3     ~~Resources Code conflict, that division shall prevail.~~

4     ~~(c) Prior to the disbursement of any funds, the City of Half Moon~~  
5     ~~Bay shall obtain an independent appraisal of the Beachwood~~  
6     ~~Property that conforms to the Uniform Standards of Professional~~  
7     ~~Appraisal Practice.~~

8     ~~SEC. 3.~~

9     SEC. 2. This act is an urgency statute necessary for the  
10    immediate preservation of the public peace, health, or safety within  
11    the meaning of Article IV of the Constitution and shall go into  
12    immediate effect. The facts constituting the necessity are:

13    In order to provide timely essential relief to the City of Half  
14    Moon Bay as a result of the settlement agreement in the case of  
15    Yamagiwa v. City of Half Moon Bay, it is necessary that this act  
16    take effect immediately.